

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

VIPUL SHAH, SAMEMMA
HOLDINGS, LLC, STEVE WIONS,
AND DOLPH HAEGE,

Plaintiffs,

v.

CROWDSTREET, INC., TORE
STEEN, AND IAN FORMIGLE,

Defendants.

CIVIL NO. A-25-CV-00383-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Susan Hightower. ECF No. 30. The report recommends Defendants' Motion to Compel Individual Arbitration, Stay this Action, and Strike Class Claims and Allegations (the "Motion") (ECF No. 11) be **GRANTED-IN-PART** and **DENIED-IN-PART**. The Report and Recommendation was filed on July 11, 2025.

Plaintiffs filed objections on July 25, 2025, to which Defendants responded on August 8, 2025. ECF Nos. 31, 32. Because a motion to compel arbitration is non-dispositive, the Court reviews any objections to the report and recommendation on that motion for clear error under Federal Rule of Civil Procedure 72(a).¹ Having reviewed the report and recommendation, Plaintiffs' objections, and the relevant record, the Court finds no clear error.

¹ While the Fifth Circuit has not directly ruled on whether a motion to compel arbitration is a dispositive or non-dispositive motion for purposes of 28 U.S.C. § 636, all four federal judicial districts in Texas have held motions to compel arbitration to be non-dispositive matters that can be ruled on as orders rather than reports and recommendation. *See Franklin v. Wells Fargo Bank, N.A.*, No. 6:23-CV-00689-ADA-DTG, at *1 n.1 (W.D. Tex. Mar. 14, 2025); *see also Baskin v. Bottini & Bottini, Inc.*, 734 F. Supp. 3d 607, 610 n.1 (S.D. Tex. 2024). Thus, the Court finds that the Magistrate Judge's "Report and Recommendation" is subject to review under the deferential clearly erroneous or contrary to law standard or review.

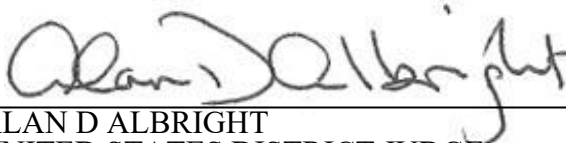
IT IS THEREFORE ORDERED that Plaintiffs' objections are **OVERRULED**, and the Report and Recommendation of United States Magistrate Judge Hightower (ECF No. 30) is **ADOPTED** in its entirety.

Accordingly, Defendants' Motion to Compel Individual Arbitration, Stay this Action, and Strike Class Claims and Allegations (ECF No. 11) is **GRANTED-IN-PART** and **DENIED-IN-PART**. That is, Defendants' Motion to Compel Arbitration is **GRANTED**, and the parties are hereby **ORDERED** to arbitrate, on an individual basis, all claims and defenses asserted in this action.

IT IS FURTHER ORDERED that proceedings in this case are **STAYED** pending resolution of arbitration. The parties shall file a status report every 90 days from the date of this Order regarding the status of arbitration proceedings.

All other requests for relief are **DENIED**.

SIGNED this 11th day of August, 2025.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE